

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PHILADELPHIA INDEMNITY)
INSURANCE COMPANY,)
)
 Plaintiff,) Case No.: 1:23-cv-2470
)
 v.)
)
 WCP SOLAR SERVICES LLC,)
)
 Defendant.)

**PLAINTIFF PHILADELPHIA INDEMNITY INSURANCE COMPANY'S
MOTION FOR ENTRY OF JUDGMENT**

Pursuant to Fed. R. Civ. P. 55(b)(1), Plaintiff Philadelphia Indemnity Insurance Company (“PIIC”) respectfully moves this Court for entry of judgment against Defendant WCP Solar Services (“WCP”) in light of the default ordered entered by this Court on August 25, 2023 (ECF #15). In support of its request for entry of judgment, PIIC submits the following:

1. PIIC filed its Complaint for Indemnity on April 19, 2023 (ECF #1).
2. WCP initially refused to execute the waiver of service sent by PIIC and as such, PIIC served WCP process server on June 14, 2023.
3. WCP failed to appear, answer, or otherwise contacted the Court. As such, on August 25, 2023, this Court entered an Order of Default against WCP (ECF #15).
4. Pursuant to Federal Rule of Civil Procedure 55(b)(1), PIIC now requests an entry of judgment as its claim against WCP is for a sum certain.
5. An affidavit confirming the veracity of the allegations and the sum certain due and owing by WPC is attached. *See Exhibit A*, Prove-Up Affidavit of Wendy Kisner.

6. PIIC has paid approximately \$848,864.38 as a result of the claims made against the bonds and also continues to accrue costs, expenses, consultant fees and attorneys' fees, which as of this filing, total \$133,642.88. A true and accurate copy of the total loss incurred by WCP is attached as Exhibits 2 and 3 to the Prove-Up Affidavit.¹

7. Accordingly, there is due and owing to PIIC by Defendant WCP the total amount of \$982,507.26 comprised of the underlying loss on the bonds, together with attorneys' fees, consultant fees, costs, and expenses.

WHEREFORE, Plaintiff PIIC respectfully requests that an Order of Judgment in the amount of \$982,507.26 be entered against WCP and for such other relief as this Court deems just and reasonable.

Date: October 3, 2023

Respectfully submitted,

By: /s/ Michael J. Weber
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*Counsel for Philadelphia Indemnity
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¹ Exhibit 2 to the Prove-Up Affidavit will be supplemented once Plaintiff's system updates to include September amounts.

CERTIFICATE OF SERVICE

Michael J. Weber, an attorney, hereby certifies that on October 3, 2023, he filed the foregoing document electronically through the Courts' CM/ECF system and notice of this filing was sent the party listed below via First Class U.S. Mail, postage prepaid.

WCP Solar Services, LLC
c/o Dr. Everton Walters
1057 Shore Road
Naperville, IL 60563

/s/ Michael J. Weber